



de maximis, inc.

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February 16, 2010

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: Monthly Progress Report No. 33 – January 2010
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009**

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On January 20, CPG and EPA held a meeting to discuss and finalize the Fish/Crab Tissue Compositing and Analysis Plan.
- On January 21, CPG and EPA held a conference call to discuss comments on the Physical Water Column Monitoring (PWCM) QAPP Addendum.

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Correspondence

- On January 7, CPG received comments from EPA on the 2008 US Army Corps of Engineers' Vegetation Survey Report.
- On January 8, CPG provided update via email regarding the synoptic PWCM work.
- On January 12, CPG received comments on the crab portion of the draft Tissue Compositing Plan from EPA.
- On January 13, CPG submitted the Winter 2010 Fish Community Survey - Addendum to the Fish and Decapod Crustacean Tissue Collection for Chemical Analysis and Fish Community Survey QAPP to EPA.
- On January 15, CPG submitted the December Progress Report to EPA.
- On January 15, CPG received comments on the PWCM QAPP Addendum from EPA.
- On January 20, CPG received comments on the Winter 2010 Fish Community Survey QAPP Addendum from EPA.
- On January 23, CPG submitted the revised Winter 2010 Fish Community Survey QAPP Addendum to EPA.
- On January 25, EPA approved the revised Winter 2010 Fish Community Survey QAPP Addendum.
- On January 26, CPG received additional comments on the PWCM QAPP Addendum from EPA.

Work

- CPG continued drafting the Low Resolution Coring (LRC) program data summary report which includes a description of the field activities, submittal of field records, analytical data results and presentation and summary of data validation results.
- CPG Modeling Team continued work on the LPR/Newark Bay Sediment Transport Model using a version of SIT-SEDZL-J.
- CPG continued reviewing the Newark Bay (NB) physical water column monitoring data collected by Sommerfield and Chant.
- CPG began reviewing the fall 2009 PCWM data.
- CPG continued planning activities for the Chemical Water Column Monitoring (CWCM) QAPP.

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- CPG continued preparation of Risk Assessment Tech Memos as requested by EPA in comments on the approved Problem Formulation Document, Fish/Crab Tissue and Benthic QAPPs.
- CPG prepared for the sediment stability meeting with EPA to be held on February 4.
- CPG initiated the Winter Fish Community Survey.

(b) Results of Sampling and Tests

- On January 15, 2009, copies of lab EDD files received in December 2009 and October 2009 mooring sensor data from the fall 2009 PWCM program were posted to the PREmis web portal.
- On January 28, CPG provided November 2009 mooring sensor data in raw form from the fall 2009 PWCM survey.
- On January 29, CPG provided raw and unvalidated benthic sediment data for the EPA split samples to the EPA.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue planning activities for the spring 2010 deployment of the PWCM program.
- CPG will continue reviewing the fall 2009 PWCM data.
- CPG will continue planning activities for the CWCM QAPP.
- CPG will complete preparation of the LRC data summary report.
- CPG Modeling Team will continue work on the LPR/NB Sediment Transport Model.
- CPG and EPA will meet to discuss sediment stability on February 4.
- CPG will continue preparation of Risk Assessment Tech Memos as requested by EPA in comments on the approved Problem Formulation Document, Fish/Crab Tissue and Benthic Sampling QAPPs.
- CPG will re-initiate the Winter Fish Community Survey, weather conditions permitting (this work was suspended on February 2 due to un-safe weather conditions for on-water work).

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(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

- Icy conditions on the LPR during January caused the Winter Fish Community Survey work to be suspended on February 2.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.


Willard F. Potter
Project Coordinator

cc: Pat Hick, EPA Office of Regional Counsel
Alice Yeh, EPA
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